



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

FEB 22 1993

OFFICE OF  
SOLID WASTE AND EMERGENCY  
RESPONSE

Mr. R. Steven Morton, Esquire  
Brown McCarroll & Oaks Hartline  
1400 Franklin Plaza  
111 Congress Avenue  
Austin, Texas 78701

Dear Mr. Morton:

This letter is in response to your inquiry of November 18, 1992, regarding the U.S. Environmental Protection Agency's upgrading requirements for Federally regulated underground storage tanks (USTs) that have been temporarily closed (copy enclosed). As you know, § 280.70(c) states that "when an UST system is temporarily closed for more than 12 months, owners and operators must permanently close the UST system if it does not meet either performance standards in § 280.20 for new UST systems or the upgrading requirements of § 230.21, except that spill and overfill equipment requirements do not have to be met."

The purpose of this letter is to communicate that the upgrading requirements of § 280.21, including specific requirements for tanks such as interior lining and/or cathodic protection, and including specific requirements for cathodic protection of piping, must be met at the time temporary closure exceeds 12 months.

You should be aware that UST systems temporarily closed for fewer than 12 months must meet the requirements of § 280.70(a) concerning operation and maintenance of corrosion protection and release detection, if applicable, and of § 280.70(b) concerning requirement. for vent and other lines and equipment for systems temporarily closed for 3 months or more.

I hope that this information is helpful. If you have any further questions please contact David Wiley of my staff at 703-308-8877.

Sincerely,

David Ziegele, Director,  
Office of Underground Storage Tanks

Enclosure

cc: UST/LUST Regional Program Managers  
UST/LUST Regional Branch Chiefs  
OUST Management Team  
Shelley Fudge, OUST  
Bill Lienesch, OUST (compendium)  
David Wiley, OUST